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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE  
COMMISSION HELD IN ITS OFFICES ON JUNE 3, 2010

Commission Chairman Orjiakor N. Isiogu called the meeting to order at 9:04 a.m.  
Executive Secretary Mary Jo Kunkle called the roll and declared there was a quorum.

**PRESENT**

Commission: Orjiakor N. Isiogu, Chairman  
Monica Martinez, Commissioner  
Greg R. White, Commissioner

Staff: Margaret Rost  
Judy Palnau  
Mary Jo Kunkle  
Catherine Bowers

Public: Jerry R. Crandall, MIRS  
Dan Brudzynski, DTE Energy  
Suzy Denison, MEGA  
Marilyn Oliver, DTE Energy  
Beverly Roberts, Consumers Energy  
Saudia Santure, Consumers Energy  
Jon Allan, Consumers Energy  
Tim Hoffman, Consumers Energy

- I.** Commissioner Martinez moved to approve today's agenda, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The agenda was approved.

- II.** Commissioner Martinez moved to approve the minutes of the Regular Commission Meeting of May 17, 2010, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The minutes were approved.

### III. ORDERS

#### A. COMMUNICATIONS

1. U-14678 ACE TELEPHONE COMPANY, BARRY COUNTY TELEPHONE COMPANY, DEERFIELD FARMERS' TELEPHONE COMPANY, KALEVA TELEPHONE COMPANY, LENNON TELEPHONE COMPANY, OGDEN TELEPHONE COMPANY, PIGEON TELEPHONE COMPANY, UPPER PENINSULA TELEPHONE COMPANY, AND THE WALDRON TELEPHONE COMPANY, AND VERIZON WIRELESS  
(opens new dockets)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves the approval of interconnection agreement amendments. The order before you opens separate dockets to be used for future amendment filings, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

2. U-16236 DRENTHE TELECOM LLC  
(permanent license)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which is an application for a license to provide basic local exchange service. The order before you grants the license, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

3. U-16288 MICHIGAN CENTRAL BROADBAND COMPANY AND NEW  
CINGULAR WIRELESS PCS, LLC  
U-16299 AT&T MICHIGAN AND EAGLENET, INC.  
U-16365 AT&T MICHIGAN AND TIME WARNER CABLE INFORMATION  
SERVICES (MICHIGAN), LLC  
(interconnection agreements and amendments)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which requests Commission approval of

interconnection agreements and amendments. The order before you approves the requests, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

4. U-16240 TW TELECOM DATA SERVICES, LLC  
(temporary license)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which is an application for a temporary license to provide basic local exchange service. The order before you grants the temporary license, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

5. MINUTE ACTION AT&T MICHIGAN  
(Case No. U-14000)

Commissioner Martinez moved that the Commission adopt and issue minute dated June 3, 2010 finding that the attached AT&T Michigan Invoice No. 517 R41-0001 067 9 for the period of December 1, 2009 to February 28, 2010, is for wireless emergency service costs recoverable under 2007 PA 165, MCL 484.1408(4)(b). The Commission approves the attached invoice in the amount of \$130,237.44 for reimbursement by the Michigan Department of Treasury, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The minute was adopted.

6. MINUTE ACTION METRO ACT  
(Section 8(14) of Public Act 48 of 2002)

Commissioner Martinez moved that the Commission adopt and issue minute dated June 3, 2010 adopting the Commission Staff's recommendations as to the amount of the allowable tax credit for the telecommunications providers listed in the attached report under Section 8(14) of Public Act 48 of 2002, MCL 484.3108(14), the

Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The minute was adopted.

**B. ELECTRIC**

1. U-15001-R CONSUMERS ENERGY COMPANY  
(motion for rehearing)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves an application by Consumers Energy Company for authority to reconcile its power supply costs and revenues for 2007. The order before you denies the petition for rehearing filed by Consumers Energy Company, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

2. U-15415-R CONSUMERS ENERGY COMPANY  
(’08 PSCR reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves an application by Consumers Energy Company for reconciliation of power supply costs and revenues for 2008 and for other relief relating to pension and other post-employment benefit costs. The order before you approves the application with modifications, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

3. U-15645 CONSUMERS ENERGY COMPANY  
(self-implementation refund)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves a request by Consumers Energy Company to increase its rates for the sale and distribution of electric energy and other relief. The order before you dismisses the necessity of the preparation of a proposal for decision because the Commission intends to read the record, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

4. U-15806 THE DETROIT EDISON COMPANY  
(energy optimization plan)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves an application by The Detroit Edison Company requesting approval of an amended energy optimization plan. The order before you approves the amended plan, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

5. U-16272 DETROIT THERMAL, LLC  
(steam sales agreement)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which is an application filed by Detroit Thermal, LLC, for *ex parte* approval of a steam sales contract. The order before you finds the contract to be reasonable and in the public interest, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**C. GAS**

1. U-15450-R MICHIGAN GAS UTILITIES CORPORATION  
(’08-’09 GCR reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves an application by Michigan Gas Utilities Corporation for a gas cost recovery reconciliation for the 12-month period ended March 31, 2009. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

2. U-15699 MICHIGAN CONSOLIDATED GAS COMPANY  
(depreciation)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves an application by Michigan Consolidated Gas Company for depreciation accrual rates for accounting and ratemaking purposes for the company’s gas utility plant. The order before you amends ordering paragraph D of the March 18, 2010 order issued in this proceeding, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

3. U-15890 MICHIGAN CONSOLIDATED GAS COMPANY  
(energy optimization plan)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves an application by Michigan Consolidated Gas Company requesting approval of an amended energy optimization plan. The order before you approves the amended plan, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

4. U-15964 COMMISSION'S OWN MOTION  
(rules for mergers and acquisitions)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which provides a notice of opportunity to comment on proposed rules governing the standards and application process for mergers and acquisitions, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

5. U-15985 MICHIGAN CONSOLIDATED GAS COMPANY  
(rate case)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves an application filed by Michigan Consolidated Gas Company for authority to increase its rates for the distribution of natural gas and for other relief. The order before you reduces the utility's current self-implemented retail rates by \$51,438,000 on an annual basis, which is an increase of \$118,562,000 over the level of rates authorized in the utility's most recently completed rate case, orders a refund of the excess monies (to be determined in a later proceeding) that were collected by the utility on and after January 1, 2010, and grants other forms of regulatory relief effective for service rendered on and after the date following issuance of this order, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

6. U-16122 HANOVER PIPELINE, L.L.C.  
(pipeline application)

U-16201 CONTINENTAL RESOURCES, INC.  
(closing docket)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involve applications for approval of pipelines. The order closes the docket in Case No. U-16201 and directs the Commission Staff to transfer all pertinent filings from the Case No. U-16201 docket into the Case No. U-16122 docket, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

7. U-16178 ARCADIA BREWING COMPANY v SEMCO ENERGY GAS  
COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves the complaint of Arcadia Brewing Company against SEMCO Energy Gas Company. The order before you dismisses the complaint with prejudice, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

8. U-16229 ROBERT J. CONNELLY v CONSUMERS ENERGY COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves the complaint of Robert J. Connelly against Consumers Energy Company. The order before you dismisses the complaint, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

9. U-16265 SUMMIT PETROLEUM CORPORATION  
(Act 9 Pipeline)

Commissioner Martinez moved that the Commission adopt and issue order dated June 3, 2010 which involves an application by Summit



Petroleum Corporation to construct and operate a natural gas pipeline in Isabella Township, Isabella County. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

#### **IV. PUBLIC COMMENTS**

There were no public comments.

Chairman Isiogu announced that the next regularly scheduled Commission Meeting will be held on June 24, 2010.

Commissioner Martinez moved that the Commission adjourn, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The motion was approved.

The meeting adjourned at 9:19 a.m.

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Mary Jo Kunkle  
Executive Secretary